

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37168 of 2025

Arising Out of PS. Case No.-854 Year-2024 Thana- SONEPUR District- Saran

Chhotu Rai @ Chotu Rai @ Chhotu Kumar S/O Deepak Rai R/O Village-
Nayka Tola Sabalpur, Ps- Sonpur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-06-2025 Heard learned counsel for the petitioner and Mrs.
Renu Kumari, learned APP for the State.

2. The petitioner seeks bail in Sonapur P.S. case No.
854 of 2024 instituted for the offences under Section 30(a) of
the Bihar Prohibition and Excise Act.

3. Earlier, the petitioner had moved this Court for
grant of anticipatory bail which was rejected by this Bench vide
order dated 14.02.2025 passed in Cr. Misc. No. 2655 of 2025.

4. The prosecution case, in short, is that 898.56 liters
liquor was recovered from truck.

5. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered



from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is further submitted that the name of the petitioner has transpired as being owner of the truck in question and the said truck was given by him to co-accused Sokhi Rai. The petitioner had no knowledge regarding nature of goods kept in the truck in question. The petitioner is in custody since 09.04.2025 and has got four criminal antecedents in which he is on bail in two cases. There is no compliance of Section 103 of B.N.S.S., 2023.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sonapur P.S. case No. 854 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Pankaj/-

U		T	
---	--	---	--

